



PUBLIC NOTICE

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Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

DA-02-2823

Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Released: October 29, 2002

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

The Managing Director is responsible for fee decisions in response to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. A public notice of these fee decisions is published in the FCC record.

The decisions are placed in General Docket 86-285 and are available for public inspection. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director fee decisions are released for public information:

ETS Payphones, Inc. - Request for waiver of FY 2000 regulatory fees **Granted** (August 21, 2002) [See Implementation of Section 9 of the Communications Act. 10 FCC Rcd 12759, 12761-62 (1995)]

Hispanic Keys Broadcasting Corp. - Request for a fee determination and refund of FY 1997, 1998 & 1999 regulatory fees paid **Denied** (August 27, 2002) [See Implementation of Section 9 of the Communications Act. 9 FCC Rcd 5333, 5346]

Island Broadcasting, Inc. - Request for a waiver of the late payment penalty on FY 2001 regulatory fees **Granted** (September 11, 2002)

J4 Broadcasting of Cincinnati, Inc. - Request for relief regarding the regulatory fee for FY 2000 for WCIN-AM Cincinnati, OH **Granted** (August 21, 2002) [See Implementation of Section 9 of the Communications Act. 9 FCC Rcd 5133, 5346 (1994), recon granted, 10 FCC Rcd 12759 (1995)]

Keymarket Communications, LLC - Request for waiver of FY 2000 regulatory fee for WPQR(FM) Uniontown, PA **Granted** (August 27, 2002) [See Implementation of Section 9 of the Communications Act. 10 FCC Rcd 12759, 12762 (1995)]

Radio Hawaii, Inc. - Request for hardship waiver of the FY 2000 regulatory fees KWA1-AM Honolulu, HI **Denied** (August 21, 2002) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon granted, 10 FCC Rcd 12750 (1995)]

**NOTE: ANY QUESTIONS REGARDING THIS
REPORT SHOULD BE DIRECTED TO THE
REVENUE AND RECEIVABLES
OPERATIONS GROUP AT (202) 418-1995.**

AUG 21 2002

36-285

DIRECTOR OF
REGULATORY SERVICES

Mr. Robert Reinsel
ETS Payphones, Inc.
1490 Westfork Drive, Suite G
Lithia Springs, Georgia 30122

Re: Request for Waiver of FY 2000
Regulatory Fee
Fee Control No. 00000RROG-02-051

Dear Mr. Reinsel:

This letter is in response to your request for waiver with respect to the Fiscal Year (FY) 2000 regulatory fee submitted on behalf of ETS Payphones, Inc.

You recite that you received a Bill For Collection dated May 7, 2002 from the Commission in the total amount of \$3311.25, which includes a 25% penalty for late payment of the *FY* 2000 regulatory fee, and that this amount is above and beyond a payment of \$2818 that you have already made. You request that the amount paid be accepted as payment in full of your FY 2000 obligation because ETS entered bankruptcy on September 11, 2000.

The Commission will grant waivers of its regulatory fees on a sufficient showing of financial hardship. Evidence of bankruptcy or receivership is sufficient to establish financial hardship. See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12761-62 (1995) (waivers granted for licensees whose stations are bankrupt, undergoing Chapter 11 reorganization, or in receivership). The filing window for FY 2000 regulatory fees was September 11 through September 20, 2000. You have submitted court documentation to show that a voluntary petition under Chapter 11 was filed by ETS in the United States Bankruptcy Court in Delaware on September 11, 2000. Accordingly, your request for waiver of additional FY 2000 regulatory fee payments is hereby granted.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

00000 RROG-02-051



1490 WESTFORK DRIVE • SUITE G • LITHIA SPRINGS, GA 30122 • 770-819-1600 FAX 770-819-1685

May 29, 2002

Mr. Andrew Fischel
Office of the Managing Director
Federal Communications Commission
Washington, D.C. 20554

RE: ETS Payphones, Inc.
Bill Number: 2000-9CB-0066

Dear Mr. Fischel:

Attached please find a copy of the FCC's "Bill for Collection" dated 5/7/02 recently sent to our corporation. We believe the liability for year 2000 due to the FCC has been satisfied in full although we have only paid \$2818 of the total liability. The FCC has sent us a bill requesting an additional \$3311.25 (including penalty) above and beyond the amount that has already been paid.

Our corporation believes the amount due to the FCC is fully satisfied due to our corporation's Chapter 11 bankruptcy filing made on September 11, 2000. A copy of our bankruptcy petition is attached for reference purposes. We feel only the post petition (post bankruptcy) portion of the liability would be due which is more than covered by the \$2818 that has already been submitted to the FCC.

We have addressed this position to Mr. Craig Struop of your organization who has sought feedback from your legal counsel. Your counsel appears to be in agreement of that we have fully satisfied the portion actually due the FCC for this year 2000 based liability.

Please do not hesitate to contact me by calling 770-819-1600, extension 1385 if you wish to discuss this issue further or if you require additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Reinsel".

Robert Reinsel
Tax Manager
ETS Payphones, Inc.

① 2002 Lett
② Tom Putnam/Patt
③ Hooker for 2802s.

ASSOC. MGR. DIR.
FINANCIAL DEPT.
JUN 10 8:53 AM '02

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor:

ETS Payphones, Inc.

Page 2

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location

Where Filed: NONE

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

PSA, Inc.

Case Number:

Date Filed:

09/11/00

District:

Delaware

Relationship:

Subsidiary

Judge:

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
(If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Not Applicable

Signature of Debtor

X Not Applicable

Signature of Joint Debtor

Telephone Number (Una represented by attorney)

Date

Signature of Attorney

X Brendan L. Shannon

Signature of Attorney for Debtor(s)

Brendan L. Shannon

Printed Name of Attorney for Debtor(s) / Bar No.

Young, Conaway, Stargatt & Taylor, LLP

Firm Name

11th Floor 1100 North Market Street

Address

Wilmington, Delaware 19801

(302) 5714696

Telephone Number

9/11/00

Date

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

The attorney for the petitioner named in the foregoing petition, declare that he informed the petitioner that [he/she] may proceed under chapter 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

Signature(s) of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X [Signature]

Signature of Authorized Individual

James D. Blyth

Print or Type Name of Authorized Individual

President/CEO

Title of Authorized Individual

September 9, 2000

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Not Applicable

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X Not Applicable

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Federal Communications Commission
BILL FOR COLLECTION

FOR INQUIRIES CALL
1-202-418-1995
(Credit and Debt Management Group)

Bill Number	Current Bill Date
2000-9CB-0066	5/7/2002

Please write your bill number on your remittance.

Payable to.

Federal Communications Commission

Send a copy of this bill to:

Federal Communications Commission

REVENUE & RECEIVABLE OPER.

P.O. BOX 358335

PITTSBURGH, PA 15251 - 5325

ETS Payphoness (f.k.a Summit Telecomm)
1490 Westfork Dr.
Lithia Springs, GA 30122

Total Amount Due	Due Date
\$3,311.25	6/7/2002

Total Amount Due Must Be Received By

25% PENALTY FOR LATE PAYMENT OF FY 2000 REGULATORY FEE
CALL SIGN: 817326

Please attach a copy of this bill to your payment to ensure proper credit

Payment Type Code	Quantity	Fee Due
0 0 7 2	1	\$2,649.00
F I N E		\$662.25

Total Due \$3,311.25

Payment Method: Check ☐
Credit card ☐

☐ MasterCard

☐ VISA

Account No.:

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Expiration:

Month Year

I hereby authorize the FCC to charge my MasterCard or VISA for the service(s) / authorization(s) herein described.

AUTHORIZED SIGNATURE

DATE